

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 23, 1993

ALL-COUNTY LETTER NO. 93-44

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION DEPARTMENTS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: CHILD ABUSE REFERRALS - CROSS REPORTING

The purpose of this letter is to provide a summary of Penal Code Sections 11166(g), 11166.1 and 11166.2 and to clarify those procedures to be used when reports of known or suspected child abuse involve non-familial persons.

Under Penal Code Section 11166(g), county welfare and probation departments are required to do the following:

1. Accept and cross-report any and all reports of child abuse, even when the agency receiving the report is not the appropriate agency for investigating the allegations;
2. Immediately, or as soon as practically possible, report by telephone to the law enforcement agency having jurisdiction over the case and to the District Attorney's Office; and,
3. Within 36 hours of receiving information about the alleged child abuse, follow-up each verbal notification to law enforcement and the District Attorney's Office with a written report to those agencies that includes all available information concerning the report.

These requirements apply to all reported incidents or suspected incidents of child abuse, including those in which the alleged abuser is a non-familial person, such as a teacher or other school employee. In cases involving non-familial persons, although county welfare and probation departments do not have investigatory responsibilities for such referrals, the agencies do have a responsibility to accept all information from the reporter and to provide the local law enforcement agency with such information.

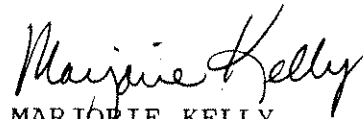
With respect to reports of child abuse alleged to have occurred in facilities licensed by the California Department of Social Services, the child protective agency is required to notify the licensing office having jurisdiction over the case within 24 hours of receiving the report, followed by a copy of the investigation completed by the child protective agency and any other relevant materials.

For those reports of child abuse occurring in a day care facility, involving a child day care licensed staff person or incidents occurring during the time the child is under the supervision of a community care facility or involving a community care facility licensee or staff person, Penal Code Section 11166.2 requires the child protection agency to do the following:

1. Immediately, or as soon as practically possible, report by telephone to the appropriate licensing agency;
2. Within 36 hours of receiving the report, send a written report concerning the incident to the appropriate licensing agency; and,
3. Send the licensing agency a copy of the investigation report.

This letter presents only a summary of cross-reporting responsibilities. For further details please refer to Penal Code Sections 11166(g), 11166.1 and 11166.2.

If you have any questions or concerns regarding cross-reporting responsibilities, please contact your Child Welfare Services Operations consultant at (916) 657-2189.



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Children and Family Services